

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-18 are pending in this application. Claims 1-18 are amended by the present amendment. Applicants respectfully submit that claim amendments find support in the claims as originally filed. Thus, no new matter is added.

In the outstanding Office Action, Claims 17 and 18 were rejected under 35 U.S.C. § 101; Claims 1, 6, 9, 14, 17, and 18 were rejected under 35 U.S.C. § 112, second paragraph; Claims 1-3, 5-11 and 13-18 were rejected under 35 U.S.C. § 102(e) as anticipated by Sato (U.S. Patent No. 7,299,271); and Claims 4 and 12 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sato in view of Dansie et al. (U.S. Patent No. 7,308,487 herein “Dansie”).

With respect to the rejection of Claims 17 and 18 under 35 U.S.C. § 101, Claims 17 and 18 are amended to recite a recording medium, which is an article of manufacture. Accordingly, Claims 17 and 18 are in compliance with all requirements under 35 U.S.C. § 101. Thus, Applicants respectfully request the rejection under 35 U.S.C. § 101 of Claims 17 and 18 be withdrawn.

With respect to the rejection of Claims 1, 6, 9, 14, 17 and 18 under 35 U.S.C. § 112, second paragraph, Claims 1, 6, 9, 14, 17 and 18 are amended to remove “undertaking some of functions of the content receiving side.” Thus, Applicants respectfully request the rejection under 35 U.S.C. § 112 be withdrawn.

Applicants respectfully traverse the rejection of Claims 1-3, 5-11 and 13-18 under 35 U.S.C. § 102(e) as anticipated by Sato with respect to amended independent Claim 1.

Amended Claim 1 recites in part:

...sending file request information that requests an acquire/use file storing acquire/use content identification information and content attribute information, to an acquire/use information providing device in response to a request for content data;

receiving via a proxy device said acquire/use file that stores the content identification information and said attribute information of said content data sent by said acquire/use information providing device in response to the content data request, said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device.

Applicants respectfully submit that Sato fails to teach or suggest each of the features of amended independent Claim 1. For example, Sato fails to teach or suggest “said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device.”

Sato describes a content obtaining system which automatically downloads desired content from a communication network to a home system based on a command from a remote terminal.<sup>1</sup> The method described by Sato allows a user to browse a uniform resource locator (URL) of a home page to find and obtain content and content information.<sup>2</sup> The content information includes storage information by which a user can store desired content in different disks depending on content genres or when a file size of the downloaded content is large, a user can designate a hard disk drive with enough capacity.<sup>3</sup> However, once a command is issued by a user to download content, the content is downloaded from the internet using a standard protocol such as hypertext transfer protocol (HTTP).<sup>4</sup> As noted in the present specification at page 3, lines 13-17, proxy servers are defined not to send a Content-Length header field if both a Transfer-Encoding header field and a Content-Length header field are stored in the header portion of the transmitted file. Therefore, such proxy servers should remove a file size from the header portion of the downloaded file sent from a WWW server. Consequently, without content identification information, a content acquisition device cannot determine whether the correct content was downloaded.

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<sup>1</sup> See Sato at Abstract.

<sup>2</sup> See Sato column 3, lines 1-10.

<sup>3</sup> See Sato column 3, lines 15-22.

<sup>4</sup> See Sato column 3, lines 30-36.

Additionally, without content attribute information, a content acquisition device cannot determine whether normal downloading of the target data was performed.

Conversely, the presently claimed method receives an acquire/use file from a proxy server that includes content identification information and content attribute information for each of the target content data requested by a user. As such, Applicants respectfully submit that Sato does not teach or suggest a method wherein “said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device” and respectfully submit that independent Claim 1 patentably defines over Sato.

As independent Claim 6 recites similar method steps, independent Claims 9 and 14 recite a device with similar features, and independent Claims 17 and 18 recite a computer readable recording medium that, when executed by a processor causes the processor to perform steps wherein “said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device” independent Claims 6, 9, 14, 17 and 18 also patentably define over Sato for at least the same reasons discussed above for Claim 1.

Applicants respectfully traverse the rejection of Claims 4 and 12 under 35 U.S.C. § 103(a) as unpatentable over Sato in view of Dancie, because Claims 4 and 12 depend from independent Claims 1 and 9, respectively and Dancie fails to supply the claimed features lacking in the disclosure of Sato.

Additionally, the outstanding Office Action stated “it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Sato with the teachings of Dancie in order to recognize that the file was interrupted or not complete while being transferred.”<sup>5</sup> However, Applicants respectfully submit that would be

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<sup>5</sup> See the outstanding Office Action, page 11, lines 10-13.

no motivation to combine the teachings of Sato and Dancie, as Sato is directed to a method that enables a user's PC to store data downloaded from a server in case the volume of the data downloaded to a mobile phone is insufficient, whereas Dancie is directed to a method for monitoring a computer device securely from a server on a public or private network.<sup>6</sup> Additionally, Applicants respectfully submit that the combination of the teachings of Sato and Dancie would actually teach away from the claimed invention as there could be no "receiving via a proxy device" as recited in amended Claim 1 because the method of Dancie does not utilize proxy devices when communicating securely. As such, Applicants respectfully submit that amended dependent Claims 4 and 12 patentably define over Sato in view of Dancie.

Accordingly, Applicants respectfully submit that independent Claims 1, 6, 9, 14, 17 and 18 and all claims depending therefrom, are allowable.

Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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<sup>6</sup> See Dancie Column 1, lines 38-41.